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JOSE ERBO aka Miguel A. Garcia-Velez

Plaintiff,

-against-

UNITED STATES OF AMERICA,

Defendant.
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08cv2881(HB)

97cr1105(HB)

ORDER

Hon. HAROLD BAER, Jr., District Judge:

WHEREAS, on February 19, 2008, Plaintiff Miguel A. Garcia-Velez, aka Jose Erbo, filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2255; and

WHEREAS Assistant United States Attorney Antonia Epps has succeeded the original Assistant assigned to the underlying criminal matter, 97cr1105, and received a copy of the petition directly from the petitioner; and

WHEREAS on February 29, 2008 this Court ordered that the time to respond to the petition would be April 9, 2008; it is hereby

ORDERED that the February 29, 2008 endorsement under docket number 97cr1105 is vacated and replaced by this order with this appropriate civil docket number 08cv2881; and it is further

ORDERED that Assistant United States Attorney Antonia Epps is directed to respond to the Petitioner's motion by April 9, 2008; and it is further

ORDERED that the Clerk of the Court shall provide the United States Attorney's Office with any other relevant materials in his possession.

SO ORDERED

~~March~~ *April 3, 2008*
_____, 2008
New York, New York

Handwritten signature of Harold Baer, Jr.

U.S.D.J.